

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DARNELL WESLY MOON,

Plaintiff,

Case No. 3:15-cv-274

vs.

SHERIFF FISCHER, *et al.*,

Magistrate Judge Michael J. Newman
(Consent Case)

Defendants.

ORDER AND ENTRY: (1) GRANTING THE MOTIONS TO RESET AND/OR STAY PROCEEDINGS (DOCS. 17, 21, 23); (2) GRANTING DEFENDANTS' MOTION FOR LEAVE; AND (3) DIRECTING *PRO SE* PLAINTIFF TO RESPOND TO DEFENDANTS' MOTION FOR JUDGMENT ON THE PLEADINGS WITHIN 21 DAYS FROM THE ENTRY OF THIS ORDER

This civil case is before the Court on *pro se* Plaintiff's motions to reset deadlines and/or suspend proceedings (docs. 17, 21), Defendants' motion for leave to file a motion for judgment on the pleadings (doc. 22),¹ and Defendants' motion to stay deadlines (doc. 23). None of the aforementioned motions are opposed. The Court has carefully considered all of the foregoing, and these motions are now ripe for decision.

For good cause shown, and in the absence of any opposition noted on the record, the parties' motions to reset and/or stay proceedings (docs. 17, 21, 23) are **GRANTED**. All deadlines previously set forth in the Court's Pretrial Order are **VACATED**. For good cause

¹ The Court notes that Defendants' motion for leave is styled as a motion seeking leave to file a motion for summary judgment. *See* doc. 22. However, in conjunction with the motion for leave, Defendants separately filed a motion for judgment on the pleadings. Doc. 24. Notably, the Court's Pretrial Order set a deadline of August 19, 2016 for the filing of summary judgment motions. *See* doc. 13. Accordingly, leave is not required before filing a motion for summary judgment. The Court did, however, previously set a March 25, 2016 deadline for the filing of motion directed to the pleadings, a date that had expired at the time Defendants filed the motion for leave and the motion for judgment on the pleadings. Based on the foregoing, the Court construes Defendants' motion for leave (doc. 22) as a motion seeking leave to file a motion for judgment on the pleadings.

shown, Defendants' motion for leave (doc. 22) is **GRANTED** and leave to file the motion for judgment on the pleadings is **GRANTED *instanter***. *Pro se* Plaintiff shall file a response to Defendants' motion for judgment on the pleadings (doc. 24) within 21 days from the entry of this Order. The Court will issue an Amended Pretrial Order following disposition of Defendants' motion for judgment on the pleadings.

IT IS SO ORDERED.

Date: May 3, 2016

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge